

SERVICE LETTER

On January 1, 1998, the provisions of Delaware Law (Title 19, Chapter 7, Section 708) took effect. This act requires that each person seeking employment on or after January 1, 1998 in a child care facility shall submit to a Child Abuse Registry check and the child care facility shall obtain one or more Service Letters for that person.

- **Child Care Facility** is defined by Delaware law as any child care facility which is required to be licensed by the Department of Services for Children, Youth and Their Families.
- **Person seeking employment** is defined by Delaware law as any person applying for employment in a child care facility that affords direct access to persons receiving care at such a facility.
- **Direct Access** is defined by Delaware law as the opportunity to have personal contact with persons receiving care during the course of one's assigned duties.
- **Child Abuse Registry Check** for purposes of this law, shall relate to substantiated cases of child abuse or neglect reported after August 1, 1994.
- **Release Of Employment History** a form developed by the Office of Child Care Licensing authorizing a full release for each facility to obtain any and all information pertaining to the facts of a current or previous employment.
- **Service Letter** for purposes of this law, shall contain information about the work performed by the employee; the duration of the employment; the nature of the employee's separation from employment; and any reasonably substantiated incidents involving violence, threat of violence, abuse or neglect, by the person seeking employment toward any other person, including any disciplinary action taken as a result of such conduct.

Service Letter:

1. Each child care facility must obtain (1) service letter from the person's current or most recent employer. In addition, if the person was employed in a child care facility within the past five (5) years, service letters shall also be obtained from such employer (s).
2. A copy of the **Service Letter** is available for each employer to make necessary copies for persons seeking employment. Additional copies may also be obtained from the Department of Labor.

3. A copy of the **Release Of Employment History** form is available for each employer to make necessary copies for persons seeking employment. This form is to be used because the law requires that each employer shall obtain a statement, signed by the person seeking employment, authorizing a full release for the employer to obtain any and all information pertaining to the facts of the current or previous employment.
4. The Office of Child Care Licensing will be reviewing the service letters during the routine compliance review of personnel files. During the review, the Licensing Specialist will assess compliance with the law for each person hired after January 1, 1998. Employers found to be in noncompliance with the law will be reported to the Department of Labor, which is responsible for enforcement of the service letter requirement.
5. When an employer must fill a position in order to maintain the required level of service, the employer may hire a person seeking employment on a conditional basis pending receipt of the service letter, acknowledging that his or her continued employment is contingent upon receipt of the required service letter.

If you have any questions regarding this letter, please contact the Office of Child Care Licensing, New Castle County (302) 892-5800 or Kent and Sussex County 1-800-822-2236.